

REMARKS

Claims 1-3 and 7-16 are pending. Claims 4-6 and withdrawn claims 17-21 have been canceled. Applicants reserve their right to pursue these canceled claims in a divisional or continuing application.

All the pending claims (either amended or new) are supported by the originally filed specification and the original claims. Accordingly, no new matter is introduced.

REJECTION OF CLAIMS 1-5 AND 7 UNDER 35 U.S.C. § 102(b)

Claims 1-5 and 7 are rejected under 35 U.S.C. § 102(b) as being anticipated by Konishi et al. (U.S. Patent No. 5,807,951; hereinafter “Konishi”) for the reasons noted on page 2, paragraph 4, of the Office Action. As claims 4-5 have been cancelled, the issue of their rejection is now moot. Thus, our remarks below relate to claims 1-3 and 7.

Konishi refers to pharmaceutical compositions comprising a water soluble silicate polymer for regulating a body function. Konishi does not teach or disclose a composition for preparing substances having a porous interlayer dielectric thin film comprising monomeric or oligomeric saccharide derivatives of Chemical Formulas 8 to 14 with a C₂₋₃₀ acyl substituent. Since Konishi does not disclose each and every element (a porous interlayer dielectric thin film comprising monomeric or oligomeric saccharide derivatives of Chemical Formulas 8 to 14 with a C₂₋₃₀ acyl substituent) of independent claim 1, claim 1 is novel over the disclosure of Konishi. Dependent claims 2-3 and 7 incorporate features of claim 1 and are thus deemed novel over the disclosure of Konishi.

Therefore, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-3 and 7 under 35 U.S.C. § 102(b) as being anticipated by Konishi.

REJECTION OF CLAIMS 1-3, AND 15-16 UNDER 35 U.S.C. § 102(e)

Claims 1-3 and 15-16 are rejected under 35 U.S.C. § 102(e) as being anticipated by Zhang et al. (U.S. Patent No. 6,319,404; hereinafter “Zhang”) for the reasons noted at pages 2-3, paragraph 5, of the Office Action.

As already noted, Applicants have amended claim 1 to recite the specific saccharide derivatives (Chemical Formulas 8 to 14) and to recite the “C₂₋₃₀ acyl group.” Zhang does not

teach or disclose a composition for preparing substances having a porous interlayer dielectric thin film, comprising monomeric or oligomeric saccharide derivatives of Chemical Formulas 8 to 14 with C₂₋₃₀ acyl substituents. Accordingly, claim 1 is novel in view of Zhang. Dependent claims 2-3 and 15-16 incorporate features of claim 1 and are thus deemed novel in view of Zhang.

In view of the foregoing distinguishing features, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-3 (as amended) and 15-16 (as amended) under 35 U.S.C. § 102(e) as being anticipated by Zhang.

REJECTIONS OF CLAIMS 1-3, 6, 8-9 AND 16 UNDER 35 U.S.C. § 103(a)

Claims 1-3, 6, 8-9 and 16 are rejected under 35 U.S.C. § 103(a) as being obvious over JP 11-322992 (hereinafter “JP ‘992”) for the reasons noted at pages 3-4, paragraph 7, of the Office Action. Because claim 6 has been cancelled, the issue of its rejection is now moot. Thus, our remarks below relate to claims 1-3, 8-9 and 16.

JP ‘922 does not teach or disclose a composition for preparing substances having a porous interlayer dielectric thin film, comprising a monomeric or an oligomeric saccharide derivative of Chemical Formulas 8 to 14 with a C₂₋₃₀ acyl substituent. Accordingly, claim 1 is not obvious over the disclosure of JP ‘922. Dependent claims 2-3, and 8-9 incorporate features of claim 1 and are thus deemed non-obvious in view of the disclosure of JP ‘922. Since none of the cited references disclose all the claim features of independent claim 1 (a porous interlayer dielectric thin film comprising monomeric or oligomeric saccharide derivatives of Chemical Formulas 8 to 14 with a C₂₋₃₀ acyl substituent), Applicants respectfully submit that the art rejection cannot stand.

In view of the foregoing distinguishing features of Applicants’ claimed invention (as amended), Applicants submit that the JP ‘992 reference does not render obvious the claimed invention. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims 1-3, 8-9 and 16 under 35 U.S.C. § 103(a) as being obvious over JP ‘992.

**OBJECTION TO ALLOWABLE CLAIMS 10-14 FOR BEING DEPENDENT ON
A REJECTED BASE CLAIM**

Claims 10-14 are objected to for the reasons noted at page 4, paragraph 9, of the Office Action. The Office Action indicates that these claims would be allowable if rewritten in independent form. Applicants respectfully submit that because claim 1 has been amended to recite the saccharide derivatives of Chemical Formulas 8 to 14, claims 10-14 (which ultimately depend from amended claim 1) are now allowable. Accordingly, Applicants respectfully request the allowance of claims 10-14.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants respectfully request allowance of each of claims 1-3 and 7-16.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John A. Castellano, Reg. No. 35,094 at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKER, & PIERCE, P.L.C.

By

John A. Castellano, Reg. No. 35,094

P.O. Box 8910
Reston, Virginia 20195
(703) 668-8000

JAC/AP/pw